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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/758,911	01/10/2001	Luke Surazski	CISCO-3701	9288
7590		06/14/2005	EXAMINER	
Timothy A. Brisson		WONG, BLANCHE		
Sierra Patent Group, Ltd.				
P.O. Box 6149		ART UNIT		
Stateline, NV 89449		PAPER NUMBER		
		2667		

DATE MAILED: 06/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/758,911

Applicant(s)

SURAZSKI ET AL.

Examiner

Blanche Wong

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 13 December 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-87 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11, 13-20, 23-33, 35-42, 45-55, 57-64, 67-75 and 77-85 is/are rejected.
- 7) ☒ Claim(s) 12, 21, 22, 34, 43, 44, 56, 65, 66, 76, 86 and 87 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 January 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. **Claims 13-17,35-39,57-61** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

With regard to cl. 13-15,35-39 all in ln. 2, it is unclear who is the user, the caller/calling party or called party, or someone else.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. **Claims 1-11,18-20,23-33,40-42,45-55,62-64,67-75,77-85** are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Morton (U.S. Pat No. 6,480,484).

With regard to claim 1,23,45,67,77, Morton discloses a method, and web phone (telephone with keypad and display HTML pages), device or apparatus, of providing an

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improved interface (an internet-intranet greeting service) to a caller during the initiation of a VoIP call (Morton is applicable to both telephone calls and IP calls) comprising:

Placing (the calling party at telephone 102 and terminal 106 initiates a call, col. 5, ln. 9-10), by the caller (calling party), a request for information (the identifier for the called party is used to determine the URL for the greeting data associated with the called party at the terminal 108 and telephone 103 ... the URL associated with the called party's greeting data, col. 5, ln. 26-37)(see col. 5, ln. 12-15, regarding identifier) regarding a party to be called (called party);

returning a URL (returned URL, col. 5, ln. 38) responsive to said request; and

displaying (the returned URL is used by client greeting application to invoke the calling party's Web browser ... displaying by web browser application such as an HTML page, col. 5, ln. 38-55) to said caller one or more connection options (examples of possible actions the calling party may take, col. 6, ln. 2-col. 7, ln. 20) corresponding to said URL.

With regard to cl. 2,24,46,68, Morton further discloses the act of choosing (the calling party at terminal 106 may choose actions available, col. 5, ln. 66-col. 7, ln. 5), by said caller, at least one of said one or more connection options.

With regard to cl. 3,25,47,69,84, Morton further discloses the act of placing a call responsive to said one or more connection options chosen by said caller.

With regard to cl. 4,26,48,72, Morton further discloses the act entering (keypad on telephone 102, col. 5, ln. 18) a phone number (telephone number, col. 5, ln. 20) into an originating phone (keypad on telephone 102, col. 5, ln. 18).

With regard to cl. 5,27,49,73,78, Morton further discloses the act of routing said entered phone number from said originating phone to a protocol server 109 (client greeting application of terminal 106 *sends* the telephone number of the called party to the *application server* 109, col. 5, ln. 29-31) (with emphasis).

With regard to cl. 6,28,50,79, Morton further discloses the act of routing said phone number from said protocol server 109 to a mapping service 304 (the *directory server application* 304 [on the application server 109], col. 5, ln. 31] looks up the URL associated with the called party's greeting data, col. 5, ln. 34-35) (with emphasis).

With regard to cl. 7,29,51,81, Morton further discloses the act of mapping 304 (the directory server application 304 [on the application server 109], col. 5, ln. 31] *looks up* the URL associated with the called party's greeting data, col. 5, ln. 34-35) (with emphasis), by a mapping service 304, said request to a URL.

With regard to cl. 8,30,52,74,82, Morton further discloses the act of providing the URL to a protocol server 109 (the directory server application 304 is on the application server 109, col. 5, ln. 31).

With regard to cl. 9,31,53,83, Morton further discloses the act of providing said URL by said protocol server to an originating phone (calling party) (the URL is used to invoke the calling party's Web browser, col. 5, ln. 38-39).

With regard cl. 10,32,54,74, Morton further discloses the act of accessing said URL through a protocol server 109 (*invoking* Web browser ... the URL to be sent over ... to HTTP server application on *application server* 109, col. 5, ln. 40-43) (with emphasis).

With regard to cl. 11,33,55,75, Morton further discloses the act of accessing a web page corresponding to said URL (an HTML page, col. 5, ln. 54).

With regard to cl. 18,40,62, Morton further discloses the act of routing a session request corresponding to said connection option to a protocol server 109 (client greeting application of terminal 106 *sends* the IP address or telephone number of the called party to the *application server* 109, col. 5, ln. 29-31) (with emphasis).

With regard to cl. 19,41,63,85, Morton further discloses the act of routing said session request by said protocol server 109 to a mapping service 304 (the *directory server application* 304 [on the application server 109], col. 5, ln. 31] looks up the URL associated with the called party's greeting data, col. 5, ln. 34-35) (with emphasis).

With regard to cl. 20,42,64, Morton further discloses the act of executing (steps 501 through 504, col. 6, ln. 6-col. 7, ln. 20) said selected connection option.

With regard to cl. 70,80, Morton further discloses webphone or apparatus that is configured to return a URL (returned URL, col. 5, ln. 38) responsive to said request.

With regard to cl. 71, Morton further discloses webphone or apparatus that is configured to provide said caller one or more connection options (examples of possible actions the calling party may take, col. 6, ln. 2-col. 7, ln. 20) corresponding to said URL (the returned URL is used by client greeting application to invoke the calling party's Web browser ... displaying by web browser application such as an HTML page, col. 5, ln. 38-55 ... where the calling party choose actions available, col. 5, ln. 67).

#### ***Allowable Subject Matter***

5. Claim 12,21,22,34,43,44,56,65,66,76,86,87 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### ***Response to Arguments***

6. Applicant's arguments with respect to claims 1-12,18-20,23-34, 40-42,45-56, 62-64,67-84 have been considered but are moot in view of the new ground(s) of rejection.

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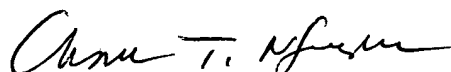
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Blanche Wong whose telephone number is 571-272-3177. The examiner can normally be reached on Monday through Friday, 830am to 530pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi H. Pham can be reached on 571-272-3179. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

BW

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June 2, 2005



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